IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION**

Michael L. Kathrein and)
Victoria Kathrein,)
)
Plaintiffs,)
)
v.) No. 08 C 83
) Honorable Ronald Guzman
City of Evanston, et al.,) Magistrate Judge Soat-Brown
) Judges Presiding
Defendants.)

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE SUPPLEMENTAL RESPONSE IN OPPOSITION TO MOTION FOR CLASS **CERTIFICATION**

Defendants, by their counsel, hereby move for an extension until October 6, 2008, to file their supplemental response in opposition to Plaintiff's Motion for Class Certification. The undersigned conferred with Counsel for Victoria Kathrein who has no objection to this Motion.

- 1. This Court granted Defendants leave to take discovery in this case, including the ability to depose the named Plaintiffs.
- 2. Defendants served interrogatories and production requests on Plaintiffs. The responses to that discovery are not currently due. Following receipt of these discovery responses, Defendants' Counsel will depose the named Plaintiffs.
- 3. Counsel for the Defendants, Counsel for Victoria Kathrein and Michael Kathrein have conferred to determine which dates would work best for the depositions. Based upon all the relevant schedules, it was determined that the depositions should proceed on September 8 or 9, 2008. The undersigned believes that both depositions can be completed in a single day.

- 4. The due date for Defendants' Supplemental Response is September 15, 2008. In light of the deposition dates, Defendants will not be able to file their response by September 15, 2008.
- 5. Accordingly, Defendants seek an additional three weeks to obtain the discovery responses, take the depositions, receive the transcripts and prepare the Supplemental Response.
- 6. Counsel for Victoria Kathrein has no objection to this motion.

Wherefore, Defendants respectfully request that this Honorable Court grant the unopposed motion for an extension of time to file their Supplemental Response on or before October 6, 2008.

Respectfully submitted,

City of Evanston, et al.,

s/ Iain D. Johnston

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